

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

DR. ERIC PAPPAS,

Plaintiff,

v.

JAMES MADISON UNIVERSITY,  
*et al.*,

Defendants.

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Case No. 5:22-cv-00028

By: Elizabeth K. Dillon  
United States District Judge

**ORDER**

For the reasons set forth in the accompanying memorandum opinion, it is hereby ORDERED that defendants' motion to dismiss pursuant to Rules 12(b)(1) and 12(b)(6) (Dkt. No. 3) is GRANTED pursuant to Rule 12(b)(6). While some of the grounds for the motion are not sufficient to grant the motion, other grounds result in the dismissal of the entire complaint as follows:

1. Defendants' motion to dismiss Counts III and V for lack of subject matter jurisdiction on the grounds of sovereign immunity pursuant to Rule 12(b)(1) is DENIED;
2. Defendants' motion to dismiss for failure to state a claim pursuant to Rule 12(b)(6) is GRANTED, so Counts I, II, III, IV, and V are DISMISSED WITH PREJUDICE;
3. Counts VI and VII, the state-law claims, are DISMISSED WITHOUT PREJUDICE because the court declines to exercise supplemental jurisdiction over them; and
4. This matter is STRUCK from the active docket of the court.

The clerk is directed to send a copy of this order and the accompanying memorandum opinion to all counsel of record.

Entered: March 31, 2023.

*/s/ Elizabeth K. Dillon*

Elizabeth K. Dillon  
United States District Judge